

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
LEOLA RICHARDSON,

Plaintiff,

NOTICE FOR REMOVAL

-against-

NATIONAL RAILROAD PASSENGER
CORPORATION d/b/a AMTRAK,

Defendant.
-----X

Defendant NATIONAL RAILROAD PASSENGER CORPORATION (“Amtrak”), through its attorneys, Landman Corsi Ballaine & Ford P.C., respectfully states upon information and belief:

1. On or about October 12, 2021, Defendant Amtrak received the Summons and Complaint in this action. A copy of the Summons and Complaint is annexed hereto as **Exhibit A** and constitutes all prior pleadings served upon Defendant Amtrak pursuant to 49 USC § 24301(b) in this action.

2. According to the Complaint, on or about October 25, 2018, Plaintiff was traveling on a train, operated by Defendant Amtrak, from New York Pennsylvania Station to Kingstree Station in South Carolina. Plaintiff alleges that the train failed to make a complete stop at Kingstree Station and its sudden movement caused Plaintiff to suffer personal injury. Plaintiff claims that the incident was caused by the negligence and carelessness of Defendant Amtrak.

3. Defendant Amtrak is removing this action because Defendant Amtrak was created by an Act of Congress, 49 U.S.C. § 24101, et seq., and more than one-half its capital stock is owned by the United States. Thus, the above-described action is a civil action of which this Court has original jurisdiction under the provisions of Title 28, U.S.C. § 1331 and § 1349 and is one

which may be removed to this Court by Amtrak, pursuant to the provisions of Title 28, U.S.C. § 1441.

WHEREFORE, Defendant Amtrak prays that the action now pending against it in the Supreme Court of the State of New York in and for the County of New York be removed therefrom to this Court.

Dated: New York, New York
November 8, 2021

Respectfully submitted,

LANDMAN CORSI BALLAINE & FORD P.C.

By: /s/ Sophia Ree
Sophia Ree
Attorneys for Defendant Amtrak
120 Broadway 13th Floor
New York, New York 10271
(212) 238-4800

TO: Philip P. Vogt, Esq.
The Law Office of Philip P. Vogt
Attorneys for Plaintiff
5 Penn Plaza, 23rd Floor
New York, New York 10001
(212) 835-1640